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SUBJECT: KOSOVO: PISG CLOSER TO COMPLETING REMAINING CG
PRIORITY STANDARDS, BUT UNMIK NOT HELPING MATTERS

Classified By: COM TINA KAIDANOW FOR REASONS 1.4 (B) AND (D).

¶1. (C) SUMMARY: Kosovo's Provisional Institutions of Self-Government (PISG) are very close to finishing the five remaining priorities for Standards implementation tasked by the Contact Group (CG) in June 2006. Two more standards -- reconstruction of the Serb village of Svinjare in south Mitrovica and establishment of police sub-stations in Serb-majority enclaves -- will likely be completed by the end of the year. Standards on property and prosecution of perpetrators of the March 2004 riots will take longer to complete, but are well underway. Local CG representatives met December 15 with officials from UNMIK, the Kosovo Property Agency (KPA) and UNMIK CIVPOL -- which oversees the Kosovo Police Service (KPS) -- to press them to do more on those priorities in which they play a key role. Indeed, deficiencies in the remaining Standards appear to be more a result of UNMIK foot-dragging than PISG recalcitrance. END SUMMARY.

¶2. (SBU) USOP and other Pristina-based representatives of the Contact Group (U.S., U.K., Russia, Germany, France and Italy) consider all but five of the CG's 13 priorities for Standards implementation to be completed. Several of the five require the direct involvement of entities under the control of UNMIK, including the Kosovo Property Agency (KPA) and the Kosovo Police Service (KPS). After an initial brainstorming session at USOP on December 7, CG representatives met with UNMIK, KPA and UNMIK CIVPOL officials December 15 to discuss what more they and the Kosovo government can do to fulfill these remaining priorities.

UNMIK-PISG consider Svinjare reconstruction complete

¶3. (SBU) On December 15 the UNMIK-PISG Svinjare Decision Making Board met and formally determined that the task of repairing and reconstructing properties in Svinjare, damaged in the March 2004 unrest, has been fulfilled. An UNMIK press release announcing the decision noted that the original task outlined by the CG in June 2006 increased by 50 percent after completion of a property survey. According to the statement, the Kosovo Protection Corps (KPC) and five other construction companies assigned to complete the repairs and reconstruction

undertook additional work to create a better atmosphere for returns and an economically viable and multi-ethnic community. (NOTE: After the initial repairs to Svinjare in 2005, residents refused to return, citing shoddy workmanship and concerns about their security. As a result, many of the empty houses were vandalized and had to be repaired again. According to an UNMIK CIVPOL representative at the meeting, the KPS will open its proposed substation in Svinjare before the end of December. Until then, the KPS will patrol the village 24/7. END NOTE). Pristina-based CG representatives, including USOP, will visit Svinjare in January 2007 to confirm that the work is completed and engage with Svinjare Serbs now living in Zvecan municipality to urge them to return.

Property Issues

14. (SBU) According to PM Ceku advisor Avni Arifi, there were 20 claims for damages to commercial property throughout Kosovo resulting from the March 2004 riots. On August 21 the PISG established a panel for resolving these claims. UNMIK's Office of the KPC Coordinator estimates the PISG will need to transfer an additional 300,000 euros in 2007 to finish paying outstanding individual claims from beneficiaries and contractors involved in this effort.

Rental scheme still has growing pains

15. (SBU) On September 1, the PISG and KPA agreed on a rental scheme for the properties under KPA administration; the first phase of the scheme began in October. KPA Director Knut Rosandhaug told CG representatives December 15 that the KPA had received 832 consents from property rights owners to have their properties entered into the scheme and that a majority

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of occupants had agreed to become tenants under the scheme. When asked why property rights owners are reluctant to participate in the scheme and start receiving rent payments, Rosandhaug said he believes that owners are not coming forward because they fear that if they do, local municipalities will ask them to pay current and back property taxes. Rosandhaug also noted that based on the decision by the PISG (brokered by USOP) to include in the rental scheme over 1,800 properties where the owners are not known, the KPA is currently conducting a survey of these properties by going door-to-door.

16. (SBU) Enforcement of KPA decisions is another area in which KPA, UNMIK CIVPOL and KPS play an important role. During the December 15 meeting at UNMIK it became clear that, despite assertions for many months to the contrary, the KPA, UNMIK CIVPOL and KPS have still not agreed upon standard operating procedures for enforcement (evictions and prevention of reoccupations) of KPA decisions on property rights. Rosandhaug admitted there are still over 800 cases not yet implemented, including over 300 from KPA's predecessor, the Housing and Property Claims Commission (HPCC), that still need decisions rendered. KPA will reconvene in 2007 and expects these remaining cases to be decided by March 2007. According to an UNMIK CIVPOL representative at the meeting, the KPS has not evicted anyone whose appeals were denied by the HPCC during its September-December 2006 sessions.

March 2004 riot cases continue with little end in sight

17. (SBU) One KPS representative at the meeting said that the number of investigations arising out of the March 2004 violence are actually increasing as police files are reviewed. Participants at the meeting lauded the Kosovo government for statements by Minister of Justice Jonus Salihaj encouraging witnesses to cooperate with law enforcement authorities investigating and prosecuting cases from the March 2004 riots. The head of the British Liaison Office asked whether creation of an anonymous hotline might

be one way around the reluctance of Kosovo Albanians to come forward with information on all crimes, not just those related to the March 2004 violence. All present agreed that this was worth taking up with the PISG. We have raised it with PM adviser Avni Arifi and await his response.

KPS to establish remaining police substations by the end of 2006

18. (SBU) UNMIK CIVPOL was upbeat on the establishment of the remaining police substations in minority communities where UNMIK and the PISG have deemed it necessary. UNMIK CIVPOL reported on December 15 that 11 of the 17 are already established and are fully operational. UNMIK CIVPOL promised that five of the remaining six, including one in the recently reconstructed village of Svinjare in southern Mitrovica, will be completed by the end of December 2006. An UNMIK CIVPOL representative said that due to opposition from the community leaders in the Serb enclave of Ranilug in Kamenica municipality, the police substation slated to be built there will instead be set up in the neighboring village of Ropotovo, from which the KPS could easily respond to incidents in Ranilug.

19. (C) COMMENT: With the exception of reconstruction of or compensation for commercial properties damaged during the March 2004 violence, the Kosovo government has largely responded to those standards that are under its control. Deficiencies in completing the other four appear to rest mainly with UNMIK, the KPA and the KPS. We will, nevertheless, continue to press the PISG to do whatever it can to assist UNMIK in the completion of the remaining four and keep up the pressure on UNMIK to do its part, as well.
END COMMENT.

110. (SBU) U.S. Office Pristina does not clear this cable for release to U.N. Special Envoy Martti Ahtisaari.

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